P.R. No. 1327/06
Presented by Shri S.C. Verma
dated 21/3/06

(1)

SINGLE BENCH

3

C.F. 10/—

# IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. No. 1261 /2006

| | | | |
|---|---|---|---|
| PETITIONER/ DEFENDANT | : | | Dushyant Kumar Tiwari S/o Baijnath Tiwari, aged 38 yrs. Occupation – SECL Employee, Behind Police Station, Raigarh, Tahsil and Distt. Raigarh(C.G.) |
| | | Vs. | |
| RESPONDENTS PLAINTIFF | : | 1. | Sujan Singh, S/o Bhagat Singh Aged about 60 years, Occupation Business and money landing, R/o Nayaganj Koshtapara, Raigarh, Tah. & Distt. Raigarh (C.G.) |

## WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA

(15)

# उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.No.1261/2006

**मामला क्रमांक ..... सन् 200**

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

**10.3.2006**

**W.P.No.1261/2006**

Shri S.C.Verma, counsel for the petitioner.

Heard.

This is a petition filed under Article 227 of the Constitution of India against the impugned order dated 16.2.2006 passed by the Civil Judge, Class-1, Raigarh in execution case No.30-B/2002.

The impugned order perused.

By the impugned order, the learned execution Court has only directed for making the payment of decretal amount within 15 days and has also stated that if the aforesaid order would not be complied, necessary actions would be taken for recovery through the employer of the petitioner. In fact, no adverse order has been passed against the petitioner so far and presently he has no cause of action to visit this Court.

Learned counsel for the petitioner submits that the petitioner apprehends that if the execution will take place through the agency of the employer, the provisions of Section 60 of the C.P.C. would not be followed.

An interference by a Writ Court on the future apprehension of the party is not warranted.

The petitioner would be at liberty to raise such points as and when such an exigency arises in future. Present is a pre-mature stage.

The petition is summarily dismissed.

**Sd/-**
**Sunil Kumar Sinha**
**Judge**

/Sunita/

SP/FS/2005 - 20,000

23.3.06

Dated :